

TARIFF DUTIES LEFT TO WILSON'S DECISION

Senators and Representatives
Await President's Orders
as to Wool and Sugar.

FLOUR MEN ENTER PROTEST

Bill Expected to Cut More than
\$80,000,000 from Revenue,
To Be Made Up by the
New Income Tax.

(From The Tribune Bureau.)
Washington, April 5.—The tariff centre shifted back to the White House to-day and will probably remain there until word comes from the President as to what the rates on wool, sugar and other disputed items shall be.

Democratic Senators, after their efforts to induce the House members to modify their demands to such an extent that the apparent difficulties in the way of the passage of the bill in the upper house might be obviated, practically rested on their oars, awaiting the White House ultimatum. There was a disposition to leave the tariff case entirely to the President. If he decrees that the Democratic platform promises call for free sugar and free wool the Senate leaders will try to force them through, refusing to take the responsibility of modifying the Representatives' demands to assuage the wrath of their constituents.

Representatives from the sugar states, particularly Louisiana, are making a strong effort to induce the President and the House leaders to abandon their plan to place sugar on the free list. They have not yet accepted the compromise offer to cut the duty to one cent a pound for three years, and make it free at the end of that time. They still insist that this would destroy the industry as effectively as to place sugar on the free list at once.

Flour Men Protesting.

The flour milling interests of New York are also beginning to file their protests against the proposition to place flour and feed on the free list and retain a duty on wheat. This scheme to take the tax off the market basket and still protect the farmer will, it is contended, place a blight on the flour milling industry in the United States.

Milling interests at Lockport and Niagara Falls insist that their business will be destroyed if the plan is carried out. The Canadian mills, they say, with an ample supply of wheat, will be able to ship their manufactured product across the border without hindrance in competition with the millers of the United States, who must pay the margin of protection afforded the American farmer. Members of the New York delegation are being flooded with protests.

Important additions to the tariff free list, as reported to-night, include boots and shoes, hide leather, skins, meats, lard, salt, iron ore, timber, agricultural implements, sewing machines, typewriters, printing presses, road machinery, newspaper paper, wood pulp, cotton bagging, barbed wire and steel rails.

The President was reported to have withstood renewed attacks on the free raw wool schedule as embodied in the bill. So firm is his attitude reported to be—an attitude backed by the majority of his party in both branches of Congress—that any effort of legislators to escape a caucus pledge on the wool schedule would not be tolerated.

The President, in talking to-day to Senators Walsh and Meyers, of Montana, made plain his firm position, declaring the party could not afford to place any tariff on raw wool.

Senators Consider Bill To-day.
The Senate Finance Committee will meet to-morrow to go over the schedules as drafted by the Ways and Means Committee. On Monday Chairman Underwood will introduce the bill, and the House Democrats have been called to consider it in caucus on Tuesday morning.

The bill, it is estimated, will result in a loss in revenue of from \$80,000,000 to \$85,000,000, as compared with the Payne-Aldrich law. The saving to the people, it is estimated by the Democratic experts, will aggregate several times this loss.

The measure is expected by Democratic leaders to produce an annual revenue of \$225,000,000 from the dutiable schedules, and approximately \$100,000,000 more from the income tax, allowing for free sugar.

There is an alternate proposition ready to clamp into the income feature of the bill if it is found necessary to raise more revenue because of the agreement reached on sugar. This alternative is the substitution of 1½ per cent on that part of the income scheme taxing incomes between \$4,000 and \$20,000, instead of the present proposed rate of 1 per cent.

The committee majority have been proceeding on the assumption that it is necessary for the government to raise an annual revenue of at least \$319,000,000 or \$315,000,000.

Income Tax for Current Year.
While the new tariff law will take effect at midnight on the date of approval, the income tax feature will be effective for the calendar year 1913 and succeeding years.

The exemptions in the income tax law, aside from the \$4,000 minimum income limit as to persons, will be mainly, if not almost entirely, confined to religious and charitable institutions.

PRIEST AIDS LEEHAN

Engages Counsel for Man Accused of Lakewood Murder.

(By Telegram to The Tribune.)
Lakewood, N. J., April 5.—Rested from his ordeal of yesterday, when he was arrested, whisked to Toms River from Fort Lee and arraigned for his preliminary hearing, William J. Leehan, charged with the murder of Mrs. Caroline Turner two years ago, began to take steps to-day to prepare his defense.

He told Warden Frank S. Ellis that he had spent a good night, and he ate three hearty meals during the day. Shortly after breakfast the Rev. Joseph A. Linnane called upon the prisoner and remained talking with him for about half an hour. The priest returned a few hours later, having engaged W. Howard Jeffrey, former Assistant Prosecutor, to look after the prisoner's interests.

Later in the morning Mr. Jeffrey conferred with Leehan for about an hour. He announced at the end of the interview that the legal battle in Leehan's behalf would commence at Thursday's hearing, and that instead of waiving examination, as had been expected, the prisoner would make a fight to keep from being held for the grand jury.

It was expected that Mrs. Leehan would join her husband in Toms River to-day, but she did not arrive here. Justice William P. Voorhees, of the Supreme Court, sent word to Prosecutor Newman to-day that he would open the April term of court on Tuesday.

Father Linnane denied emphatically to-day the story that Leehan had confessed to him yesterday.

"I have merely talked with him and advised him as his spiritual adviser," the priest said, "and as he has been alone and without friends, I have also acted as a sort of temporal adviser. He has made no confession. In fact, he has told me emphatically again and again that he did not commit this crime, that he was not guilty and that he would make a good fight to clear himself."

ARE YOU ENTERTAINING?

Talent for all socials, concerts and entertainments will be found on page 4, part 5.—Adv't.

NO "TURTLE GERM TRUST"

"Happenings" at Lawyers' Club Were Responsible for Story.

Some of the mystery lying back of a plan to capitalize Dr. Friedrich Franz Friedmann's turtle germ remedy for consumption, which Asa Bird Gardner characterized on Thursday as a "cock and bull" story, was cleared up yesterday, as the result of admissions made by John Stewart, who says he is a promoter, and Wade Hampton de Fontaine, said to be a capitalist. They represented millions, Stewart said yesterday, but the names of the capitalists were to be kept secret. Stewart also said that Asa Bird Gardner was his legal representative.

According to Mr. de Fontaine's story, Mr. Stewart called him on the telephone one day last week and asked him if he could raise \$100,000 by nightfall, saying he was sure he could "get" the Friedmann cure. De Fontaine said he could. The next day he "happened" into the Lawyers' Club, where he met Asa Bird Gardner. Mr. Gardner happens to be the attorney for Mr. Stewart, according to the promoter. "Four millionaires" were in an adjoining room, and Mr. Gardner was just outlining a tentative plan for the national dispensing of the turtle germs when Mr. Gardner's old friend, "Willie" Stokes (W. E. D. Stokes, owner of the Ansonia), also by a strange coincidence, walked in. Springing his friend at a table, he asked what the conference was about, after which he was told of the plan immediately.

"Count me in for a million," Mr. Stokes and Mr. de Fontaine then went to the Ansonia and drafted a letter which Mr. Stokes says he sent out to those wishing to invest in a plan to give Dr. Friedmann's treatment to the poor.

Mr. de Fontaine has an office at No. 43 Exchange Place, where Dr. Arthur Friedmann also has an office and where he until recently represented the American Hecco Company. De Fontaine is an officer in the Battery Self-Threading Sewing Machine Company, the Labor-Saving Machinery Company, Life Saver Manufacturing Company and the West India Fibre Company.

HOUSE REPUBLICANS SHOW A SOLID FRONT

A Lively Get-Together Spirit
Marks Caucus at Which Mr.
Mann Is Made Leader.

"INSURGENTS" TAKE PART

They Decide in Conference to
Stay with the Regulars, but
Not To Be Bound in
Legislative Matters.

(From The Tribune Bureau.)

Washington, April 5.—The Republican members of the House met in caucus to-night, nominated James R. Mann for the Speakership, delegated to him authority to recommend minority committee assignments, and refused to concede the claim of the Progressive contingent that "the Republican party is dead."

Although somewhat reduced in numbers, the Republicans put up a lively exhibition of a get-together spirit and enthusiastically acceded to a suggestion by Mr. Mann that the party's conferences hereafter shall be frequent and that a solid front shall be presented whenever possible against the political enemy. Several so-called insurgent Republicans were present and will support Mr. Mann in preference to Mr. Murdock, the Progressive, for the Speakership.

The caucus nominated the incumbents for the several minority positions under the control of the Republican side of the House.

Another caucus will be held next week, following the report of the Democratic tariff bill. At this second caucus the question of opening the doors of the party council to the press and the public will be considered. The rollcall to-night showed that 88 of the 129 Republicans in the new House were present. Among the progressive or insurgent Republicans who failed to heed the call of the Bull Moose yesterday were Messrs. Davis, Anderson and Miller, of Minnesota; Prouty, Woods and Towne, of Iowa; Lenroot, of Wisconsin; Miller, of South Dakota; Gardner, of Massachusetts; and Hayes, of California.

Mr. Mann Gives Advice.

In accepting the nomination for the Speakership, which carries with it the actual duties of minority floor leader, Mr. Mann told his colleagues that "no political party can succeed which does not respond to the settled convictions of an intelligent people or which too readily follows the extravagances of the passing whims of excited propagandists." After briefly analyzing the industrial problems of the present, Mr. Mann concluded:

"The policies of our political opponents would injure or destroy the prosperity of our land. We would maintain the prosperity of the country and so divide it that all might, if they would, enjoy its effects and participate in its blessings."

"The Republican party is to-day, as it has been for many years in the past, the greatest intellectual and moral organized force in the country. It means to preserve that position. It glories in its past, but it faces the present and the future firmly determined to righteously solve the pressing problems of the age and to maintain those principles which mean national success and prosperity and individual happiness and comfort."

To Stand with Regulars.

Earlier in the evening a score of the progressive Republicans, an element distinct from the Progressive third party, assembled in the office of Representative Anderson, of Minnesota, and discussed Republican conditions. Representatives Anderson, Volstead and Stearnson, of Minnesota; Helgeson, of North Dakota, and some of the other members who have aligned themselves with the progressive wing of the Republican party in the past surveyed the situation, and most of them indicated their purpose of taking part in the caucus of the regular Republicans.

This was done on an understanding among themselves that they would not feel themselves bound by caucus action as to legislative matters. There was a general sentiment, however, that the policy of maintaining a party quorum should be recognized, and there was no disposition to oppose the regular nominee of the Republicans for the Speakership.

HOUSE MOOSE RECOGNIZED

Underwood Agrees to Give Them Committee Places.

Washington, April 5.—Plans for strenuous legislative campaigning during the coming session of Congress were outlined to-day by the new organization of the Progressive party in the House. The fifteen Progressive members spent the day in a series of conferences.

The recognition of the new party in the House was assured this afternoon, when the majority leader, Oscar W. Underwood, in conference with Representatives Murdock, Hinebaugh and Stephens, the Progressive committee on committees, agreed to allot to the new party its proportion of committee places. Mr. Underwood said he would give the Progressives places on at least two important committees, Ways and Means and Rules. The Progressives were jubilant over this decision.

Theodore Roosevelt's letter to the House Progressives was read to-day at one of the conferences. "In Congress you will find the odds against you very great, but among the people at large I firmly believe that the chances are steadily in your favor," said the colonel. He added:

"We cannot amalgamate with either of the other boss ridden, privilege controlled parties. Where the rights of the people can only be secured through the exercise of the national power, then we are committed to the doctrine of using the national power to any extent that the rights of the people demand."

"This of itself sunders us from the Democratic party."

WILSON EMBARRASSED BY JAPANESE PROTEST

Delicate Situation Confronts
Administration Because of
California's Land Bill.

STATE BOUND TO PASS IT

Secretary Bryan Told He Will
Have a Hard Time Blocking
Measure — Cabinet to
Take Up the Matter.

(From The Tribune Bureau.)

Washington, April 5.—A delicate situation confronts the Wilson administration as a result of the protest of the Japanese Ambassador against the proposed alien land bill in the California Legislature, as word has reached the Department of State that there is a strong sentiment throughout California for the passage of the measure and that it has the approval of Governor Hiram Johnson, who was the Progressive candidate for Vice-President.

Representatives Baker, Kettner, Curry, Knowland and Hayes called on the Secretary of State this afternoon and told him of the sentiment existing in California. While the members of Congress would not discuss the subject for publication, they made it plain that a majority favored the legislation which is objectionable to Japan, and further intimated that Secretary Bryan would have a hard time blocking the passage of the bill.

Members of the delegation declared that, regardless of consequences, the people of California were determined to break up the Japanese colonies in the farming sections and to reserve the state for American labor and American landowners. Secretary Bryan insists that no formal protest against the bill in question has been filed by the Japanese Ambassador, but it is known that the ambassador positively informed him that such legislation would be objectionable to Japan. Formal protest would surely be forthcoming should the bill be passed, and this is understood to have been told to Mr. Bryan.

The question will be brought up at the Cabinet meeting next Tuesday, and it is believed President Wilson will then take an active part in solving the problem.

Sacramento, Cal., April 5.—The protest of the Japanese Ambassador against the proposed alien land law in California was not unexpected by the leaders in the Legislature, who have been most active in support of the bill. Such action was predicted several weeks ago by representatives of the Panama-Pacific Exposition, who told the Senate Committee on Judiciary that advice from Tokyo showed the hostility with which Japan would view such a law.

Governor Johnson said to-day he had not yet received from Washington any communication in the matter, and had taken no steps to check what appears to be a landslide in favor of the bill. He said, however, that it was the plan to draft a law that would be effective and at the same time preserve the treaty rights of foreigners.

Senator E. S. Bardsall, of Auburn, author of one of the bills now pending, is working daily with the Attorney General on a substitute bill, which is being framed along the lines of the federal statutes barring aliens from ownership of land in the territories of the United States.

"I would give respectful consideration to any message from the State Department, as a matter of courtesy," Senator Bardsall said to-day, "but that does not mean I would be convinced. We expect to have a final draft of the bill completed very soon."

BOOM YEAR IN SHIPYARDS

Total Construction Estimated
at 400,000 Tons.

Washington, April 5.—The Department of Commerce estimates that the output of American shipyards during the current fiscal year will be greater than in any of the previous four years and equal to the average annual output for any series of active years of construction. The year's construction will reach 400,000 tons.

During the first nine months 1,114 merchant vessels, totalling 26,355 tons, have been registered, compared with 1,631 vessels and 151,341 tons the same period last year. Steel steamers aggregated 151,590 tons, against 75,347 last year.

Shipbuilding on the Great Lakes shows little change, but the total Atlantic seaboard output has increased from 64,522 tons to 161,061. Wooden sailing vessels show a decrease, and form only a small fraction (11,971 tons) of the total for the country.

Last month 135 sailing, steam and unrigged vessels were built, aggregating 24,678 tons gross.

IMMIGRANT GIRLS SAFE.

Chicago, April 5.—The twenty Scandinavian immigrant girls reported lost while en route from New York arrived here safely, it was announced to-day. The train had been delayed by a flood near New Castle, Penn.

HAYWOOD FREED BY JERSEY COURT

Continued from first page.

that the police arrested the leaders during their exodus more for what they might do than for what they had done.

"The right of free speech within reasonable restraints," said Justice Minurn in his decision, "is inalienable and guaranteed by the Constitution. An unlawful assemblage is not a body gathered for the discussion of grievances, real or fancied. The law describing an unlawful assemblage is quite clear."

"Did Not Violate Law."

"Under that condition of law and order these men are charged before the Recorder that they did violate Section 215 of the act for the punishment of crime. Our statute is based on the common law. It was never directed in history of English law to an organization of people assembled for the purposes of discussing common grievances."

"It may be that under the law of this state these defendants may have violated the Sunday law or the disorderly act, but they are not here on trial for violation of either of these acts. The Sunday law refers to a parade or procession that is an organization with some show of order. That was not this case. These men, because of the position they occupied in this particular organization, were followed by men who were interested and who wanted to hear them."

"While these two men were obeying orders of the chief of police and while they were almost outside the city limits, they were stopped by the police and arrested on the ground of unlawful assembly. I am unable to ascertain from the evidence where this unlawful assembly existed."

The court said it could not be at the Oval, where the crowd was dispersing. The place of an unlawful assembly must be fixed, he said. He also stated the crowd was not a procession, and that it acted as any crowd would. He called attention to the testimony of the police officers that none of them were frightened by the crowd.

The court said he failed to find that the assembly excited fear or alarm in anybody. "The defendant, Haywood, might be held on a charge of disorderly conduct with the right of a fair trial, but he cannot be held on the charge of 'unlawful assemblage,'" said the justice. "While it is important that law and order be maintained, it is equally important that we inculcate into the minds of aliens who have come to this country to make their homes that they are guaranteed fair and just treatment under the Constitution."

"Viewing the facts in this case personally, I have no doubt that so far as these two men are concerned at the time of their arrest they were not guilty of unlawful assembly, and for that reason a judgment discharging them should be entered."

DENY TRUESDALE CHARGE

Politics Did Not Bar Engineer's Trial, Says Prosecutor.

Corning, N. Y., April 5.—The charge made by President Truesdale of the Delaware, Lackawanna & Western Railroad in a letter to Governor Sulzer that political influences stopped the prosecution of Engineer Schroeder for alleged responsibility for the wreck near here last July, in which forty-one lives were lost, is denied by ex-District Attorney Edwin C. Smith. The indictment against Schroeder was dismissed last November.

"All that I can say," said Mr. Smith, "is that no one ever appealed to me to ask that the case be taken up anew, and that I had no part in it and do not know of the existence of any political bargain which had for its aim the dismissal of the indictment against Engineer Schroeder. At the time the case was dismissed I stated to Judge Burrell in court that I did not believe that a conviction could be secured upon the evidence available."

Albany, April 5.—Governor Sulzer has received the charges against the administration of justice in Steuben County made by President Truesdale, of the Delaware, Lackawanna & Western Railroad Company. The Governor said the charges would be investigated.

OLD GUARD PARADE APRIL 22

The Old Guard, commanded by Major S. Ellis Briggs, will march down Fifth avenue on April 22 on its annual parade to the Church of the Heavenly Rest, at 45th street, where the memorial services will be held. In the evening the annual dinner will be held at the Hotel McAlpin.

BOMB WRECKS WINE SHOP

Fifty-sixth Outrage Since January 1 Creates Panic.

New York's fifty-sixth bomb explosion since January 1 occurred early yesterday morning, when one went off and wrecked the shop of Luigi Verzillo, a wine importer, on the first floor of the double tenement house at Nos. 236 and 238 Mul-

berry street. Almost every window in the building was smashed, while considerable damage was done to glass in a tenement house across the street. Panicked tenants fled the street, but on being assured by the police that there was no danger returned quietly to their apartments.

Verzillo told the police he had received a letter a month ago threatening the demolition of his store unless he paid \$1,000. The missive was unsigned, Luigi claimed, and contained no directions for delivering the amount.

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